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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/467,231	12/20/1999	TOSHIHIKO MUNETSUGU	32161	2093

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EXAMINER
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NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 02/23/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/467,231

Applicant(s)

MUNETSUGU ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 55-82 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 55-82 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is responsive to communications: Amendment A filed 12/11/2003 to the original application filed 12/20/1999; IDS filed 07/15/2003.
2. Claims 55-82 are currently pending in this application. Claims 1-54 have been cancelled. Claims 55-82 have been added. Claims 55, 61, 67, and 75 are independent claims.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 55, 57-61, 63-67, 69-75, and 77-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mauldin et al.** (U.S. 5,664,227 – filed 10/1994) in view of **Wilcox et al.** “Annotation and Segmentation for Multimedia Indexing and Retrieval”, (Pubic Release 01/1998).

**As to independent claim 61**, Mauldin teaches a data processing apparatus comprising:

- input means for inputting content description data describing plurality of segments in which each of said plurality of segments represents a scene of media content constituted by a

plurality of scenes (*the video data 20 is input into an image process function ...then segmenting that digitalized video data into paragraph based on content; col.5, lines 16-29*), and

- selection means for selecting one of said plurality of segments (*selecting representative frames from each of the video segments; col.3, lines 21-31/ the selection of video segments; col.5, lines 10-15*).

Mauldin, however, is silent on “scores that are attribute information of the media content representing degree of relative importance of each of said plurality of segments based on context of the media content.”

Wilcox teaches scores that are attribute information of the media content representing degree of relative importance of each of said plurality of segments based on context of the media content (*A score for each media segment is computed based on the frequencies of occurrence of the keywords in annotations associated with the segment; page 2, the first left paragraph*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Wilcox with Mauldin because it would have provided the capability for retrieval of multimedia data based on segmentation.

**As to dependent claim 63**, Mauldin teaches the content description data includes supplemental information (*col.5, lines 31-44*).

**As to dependent claim 64**, Mauldin teaches the media content corresponds to video data and/or audio data (*Fig. 2, video data 20 & audio data 18*).

**As to dependent claim 65**, Mauldin teaches each of the plurality of segments is provided with linkage information for linking to dominant data that presents the segment (*col.5, lines 31-44*).

**As to dependent claim 66**, Mauldin teaches the dominant data is text data, image data and/or audio data (*col.4, lines 53-67*).

**Independent claim 55** is directed to a data processing apparatus for performing the method of claim 61, and is similarly rejected under the same rationale.

**Dependent claims 57-60** include the same limitations as in claims 63-66, and are similarly rejected under the same rationale.

**Independent claim 75**, the rejection of independent claim 61 above is incorporated herein in full.

However, claim 75 further recites “a plurality of scenes that are marked off by time according to scene boundary, and scores that are attribute information of the media content presenting time information describing scene boundaries.”

Mauldin teaches a plurality of scenes that are marked off by time according to scene boundary, and scores that are attribute information of the media content presenting time information describing scene boundaries (*To identify segment boundaries, the image processing function 231 locates beginning and end points for each shot, scene, conversation, or the like by applying machine vision methods the interpret image sequences; col.5, lines 16-29*).

**Dependent claims 77-80** include the same limitations as in claims 63-66, and are similarly rejected under the same rationale.

**Dependent claims 81-82**, Mauldin teaches the time information includes a starting time and ending time of each the plurality of scenes (*scenes begin and end; col.8, lines 45-58 / time stamp 233 & 229 in Fig.2*).

**Independent claim 67**, the rejection of independent claim 75 above is incorporated herein in full.

**Dependent claims 69-74** include the same limitations as in claims 77-82, and are similarly rejected under the same rationale.

4. Claims 56, 62, 68, and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mauldin et al.** in view of **Wilcox et al.** "Annotation and Segmentation for Multimedia Indexing and Retrieval" and further in view of **Ozsoyoglu et al.** "Automating the Assembly of Presentation from Multimedia Databases", (Public Release – 1996), cited in the previous Office action.

**As to dependent claims 56, 62, 68 and 76**, the combination of Mauldin and Wilcox does not teach "the plurality of segments are hierarchically described."

Ozsoyoglu teaches the plurality of segments are hierarchically described (*each segment in the multimedia is denoted by a node; page 595, left column & Figs.3.1 & 3.2*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Ozsoyoglu's teachings in the system of Mauldin as modified by Wilcox because it would have provided capability for organizing the segmentation of multimedia contents in the system.

### ***Response to Arguments***

5. Applicants' arguments with respect to claims 55-82 have been considered but are moot in view of the new ground(s) rejection.

The Examiner believes that the introduction of Mauldin, as combined with Wilcox and Ozsoyoglu meets the limitations as claimed by Applicant.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092.

The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maikhanh Nguyen  
February 19, 2004

  
**JOSEPH FEILD**  
**SUPERVISORY PATENT EXAMINER**